

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

In re Ex Parte Application of

Nokia Technologies Oy and Alcatel Lucent
SAS,

Applicants,

For an Order Pursuant to 28 U.S.C. § 1782
Granting Leave to Obtain Discovery for Use in
Foreign Proceedings

CIVIL ACTION NO. 1:23-mc-00032

**UNOPPOSED MOTION TO CONTINUE THE HEARING DATE ON APPLICANTS' EX
PARTE APPLICATION FOR AN ORDER PURSUANT TO 28 U.S.C. § 1782 GRANTING
LEAVE TO OBTAIN DISCOVERY FOR USE IN FOREIGN PROCEEDINGS**

Applicants Nokia Technologies Oy and Alcatel Lucent SAS (hereinafter “Applicants” or “Nokia”) hereby respectfully move for a continuance of the hearing on Nokia’s *ex parte* Application for an Order Pursuant to 28 U.S.C. § 1782 Granting Leave to Obtain Discovery for Use in Foreign Proceedings from Amazon.com Inc. (hereinafter “Amazon”). Nokia respectfully requests that this Court reschedule the hearing, currently scheduled on December 1, 2023, to December 15, 2023. As noted below, this motion is supported by good cause because, in the absence of a continuance, counsel for Amazon stated it had personal conflicts which would limit preparation of a responsive brief, Nokia would have limited time to submit a reply, and the Court would have limited time to consider the briefing before the hearing.

In support of this motion, Nokia states as follows:

1. Nokia filed its *ex parte* Section 1782 application on November 9, 2023.
2. On November 9, 2023, Applicants provided notice of this Application to Amazon’s registered agent via UPS Overnight Mail (Corporation Service Company, the Registered Agent).

3. On November 15, 2023, the Court set a hearing on the Section 1782 application for December 1, 2023.

4. On November 17, 2023, Nokia was notified that Amazon had engaged counsel in connection with Nokia's Section 1782 application.

5. On November 17, 2023, Amazon's counsel asked to meet and confer on a possible continuance of the hearing date so that Amazon could have time to submit a brief and appear at the hearing.

6. On November 20, 2023, counsel for both Nokia and Amazon had a conference call to discuss the above topics. On that call, Amazon requested Nokia to continue the *ex parte* Section 1782 hearing to December 15, 2023.

7. On November 21, 2023, counsel for both Nokia and Amazon had follow-up email communications regarding a continuance, and Amazon requested a continuance until at least December 8, 2023, in view of counsel for Amazon's personal conflicts.

8. After checking schedules for Nokia's counsel and checking the Court's availability, Nokia agreed to continue the hearing until December 15, 2023.

9. This request is supported by good cause because, in the absence of a continuance, counsel for Amazon stated it had personal conflicts which would limit preparation of a responsive brief, Nokia would have limited time to submit a reply, and the Court would have limited time to consider the briefing before the hearing.

10. Accordingly, Nokia respectfully requests to continue the hearing date to December 15, 2023, and submits that there is good cause for the requested continuance.

WHEREFORE, Applicants respectfully request that this Court continue the hearing on Nokia's *ex parte* Application for an Order Pursuant to 28 U.S.C. § 1782 Granting Leave to Obtain Discovery for Use in Foreign Proceedings until December 15, 2023, at 10:00am.

Respectfully submitted, this 22nd of November 2023.

/s/ Kellen S. Dwyer

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ATTORNEYS FOR APPLICANT NOKIA
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CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2023, I served a copy of this motion and proposed order on counsel for Amazon at the following email addresses: EThomas@fenwick.com and mary.zinsner@troutman.com.

/s/ Kellen S. Dwyer

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